

REMARKS

In the Office Action mailed June 28, 2005, the Examiner noted that claims 1-11 were pending, and rejected claims 1-11. Claims 1, 5 and 9-11 have been amended, new claims 12-16 have been added and, thus, in view of the forgoing claims 1-16 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejection is traversed below.

On page 2 of the Office Action, the Examiner rejected all claims under 35 U.S.C. § 102 as anticipated by Weinberg.

The present invention is directed to testing a program for executing a process with externally provided data in a situation where "a stub-call unit to invoke the stub program is provided in the program to be tested" (see claims 1, 5, 9, 10 and 11). In contrast, it is the testing tool that invokes the test in Weinberg (see col. 9, lines 1-3 and col. 8, line 38 - col. 12, line 36). In this situation Weinberg requires a client program on top of a server program to be tested to constitute a front end (see 620 of figs. 6A or 6C, col. 8, lines 43-46 and col. 11, lines 25-33) whereas the present invention uses only one of the client or server systems for conducting a test (see appl. page 1, lines 6-10), because of the feature discussed above,

It is submitted that the present claimed invention patentably distinguishes over Weinberg and withdrawal of the rejection is requested.

New claims 12-14 emphasize the feature of the invention discussed above as well as emphasizing the timing related to handoff of text to a stub where the handover takes place starting at invocation but before the stub transmits a first signal to the program. the text contains attribute information for a data item for which a value is required for the test. In contrast, Weinberg operates in a different order when the test subject is a web application program. As a result, the process loading of the present invention is faster and a user is not required to perform any initial parameter setting.

It is submitted that these new claims, which are different and not narrower than prior filed claims distinguishes over the prior art.

In addition it is submitted that the present invention and Weinberg are in different technology fields. Weinberg is directed to testing at a stage of development where the program has been completed and needs to be tested by non-programmer users using a large data set. The present invention is in a field where the test is performed by a programmer to confirm a newly developed portion of a program for confirm correct operation and debugging of the

portion.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.


Respectfully submitted,

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